

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CENGAGE LEARNING, INC. et al.

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Civil Action No. 24-cv-04274-JLR-BCM

**Plaintiffs' Notice of Filing of
Amended Exhibits A and B to Plaintiffs' Amended Complaint**

Plaintiffs Cengage Learning, Inc., Bedford, Freeman & Worth Publishing Group, LLC d/b/a Macmillan Learning, Elsevier Inc., and McGraw Hill LLC (collectively, "Copyright Plaintiffs") hereby submit Amended Exhibit A to the Amended Complaint (Dkt. 38) solely for the purpose of revising the list of infringed copyrighted works, in accordance with the Court's May 30, 2025 Scheduling Order (Dkt. 110 ¶ 6) and Federal Rule of Civil Procedure 15(a)(2). Plaintiffs Cengage Learning, Inc., Macmillan Holdings, LLC, Elsevier Inc., Elsevier B.V., and McGraw Hill LLC (collectively, "Trademark Plaintiffs," and with Copyright Plaintiffs, "Plaintiffs") hereby submit Amended Exhibit B to the Amended Complaint solely for the purpose of revising the list of infringed trademarks, also in accordance with the Court's May 30, 2025 Scheduling Order and Rule 15(a)(2).

At the September 4, 2024 initial conference, after receiving short written submissions (Dkt. 29-1 at 2-4) and hearing argument on the issue from both sides, this Court ordered that "Plaintiffs shall have until March 1, 2025 to amend the Complaint solely to add alleged infringed copyrighted works or trademarks to Exhibits A or B, respectively." Dkt. 34 ¶ 6. At the parties' joint request, the

Court subsequently extended that deadline to July 14, 2025. Dkt. 110 ¶ 6. Accordingly, Amended Exhibits A and B to the Amended Complaint are attached.

Plaintiffs make this amendment based on the information Defendant has provided to Plaintiffs in discovery up to the date of filing. Significant categories of Defendant's documents have not yet been produced. Should information be produced subsequently in discovery that reveals that the list of works and marks in the attached exhibits should be revised, Plaintiffs may seek leave to file further amendments to Exhibits A and B.

Dated: July 14, 2025

Respectfully submitted,

/s/ Michele H. Murphy

Matthew J. Oppenheim

Michele H. Murphy (*pro hac vice*)

Jeff Kane (*pro hac vice*)

Kevin P. Lindsey

Uriel Lee (*pro hac vice* forthcoming)

OPPENHEIM + ZEBRAK, LLP

4530 Wisconsin Avenue NW, 5th Floor

Washington, DC 20016

202-480-2999 telephone

866-766-1678 fax

matt@oandzlaw.com

michele@oandzlaw.com

jkane@oandzlaw.com

klindsey@oandzlaw.com

ulee@oandzlaw.com

Counsel for Plaintiffs